

Honolulu, Hawaii

APR - 1 2014

RE: H.B. No. 2496
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2496, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HAWAII LABOR RELATIONS BOARD,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the
procedures by which regular and acting members of the Hawaii Labor
Relations Board are appointed by the Governor. Specifically, this
measure requires the Governor to appoint:

- (1) The representative of management after first considering
any names submitted by the counties, provided that each
county may submit only one name;
- (2) The representative of labor from a list of three
nominees submitted by mutual agreement of the exclusive
representatives, provided that if less than three names
are submitted, the Governor may appoint the
representative of labor without being restricted to the
submitted list of names; and
- (3) The representative of the public.

Your Committee received testimony in support of this measure
from the University of Hawaii Professional Assembly; Hawaii Fire
Fighters Association, Local 1463 IAFF, AFL-CIO; Hawaii Government
Employees Association, AFSCME Local 152, AFL-CIO; and United



Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of Budget and Finance, and Chamber of Commerce Hawaii.

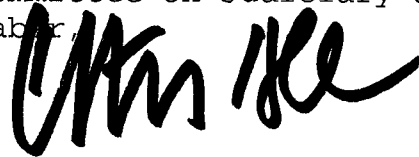
Your Committee finds that existing law requires the Governor to appoint the members of the Hawaii Labor Relations Board after first considering the persons on a list of names submitted by public employers and employee organizations representing public employees to serve as members of the board. This measure specifies the procedures by which the members of the Hawaii Labor Relations Board are chosen by the Governor for appointment.

Your Committee has amended this measure by:

- (1) Adopting the language suggested by the Hawaii Government Employees Association to clarify that the Governor is required to appoint the representative of labor from a list of three nominees by mutual agreement from a majority of the exclusive representatives and delete language that allows the Governor to appoint the representative of labor if the less than three names are submitted; and
- (2) Allowing, rather than requiring, the Governor to appoint the representative of management after first considering names submitted by the counties.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2496, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2496, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor



CLAYTON HEE, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 2496 HD1	Committee Referral: JDL	Date: 3/21/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood				✓
IHARA, Jr., Les				✓
SOLOMON, Malama	✓			
SLOM, Sam			✓	
TOTAL	4		1	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes